

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

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2005 APR 14 A 11: 18

ROCK HILL DIVISION

U.S.
DISTRICT
COURT

DIRECTV, Inc.,

Plaintiff,

vs.

Charles Barber,

Defendant.

Supplemental
REPORT AND RECOMMENDATION

C.A. No.: 0:04-22927-18

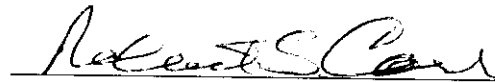
This matter is before the undersigned United States Magistrate Judge in accord with 28 U.S.C. § 636 and the local rules of this court for consideration of the plaintiff's request for damages. *This Report and Recommendation supplements the Report and Recommendation filed herein on January 13, 2005 (Docket # 8) RSC*
On January 6, 2005, based upon an affidavit of default submitted by the plaintiff, the Clerk of Court entered default as to defendant Charles Barber. On April 13, 2005, a hearing was held to determine the amount of damages, if any, to which the plaintiff is entitled. The defendant was given notice of the hearing, and appeared. *Mr. Barber denied purchasing the device. RSC*

In support of its claims for damages the plaintiff presented by way of affidavit claims of \$889.50 in attorneys' fees, \$165.00 in costs, and \$10,000.00 in statutory damages in accord with 18 U.S.C. § 2511. Also the plaintiff submitted its claim for a permanent injunction against defendant Charles Barber prohibiting the defendant from committing or assisting in the commission of any violation of 18 U.S.C. § 2511.

Accordingly, it is recommended that pursuant to Rule 54(b) of the Federal Rules of Civil Procedure this court enter its order finding the defendant Charles Barber in default, awarding the

plaintiff judgment in the amount of \$11,054.50 and permanently enjoining the defendant from committing or assisting in the commission of any violation of 18 U.S.C. § 2511 and § 2520.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Robert S. Carr", written over a horizontal line.

Robert S. Carr
United States Magistrate Judge

Charleston, South Carolina

April 13, 2005